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Attorneys for Plaintiff JENS ERIK SORENSEN,  
as Trustee of SORENSEN RESEARCH AND  
DEVELOPMENT TRUST

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

JENS ERIK SORENSEN, as Trustee of	)	Case No. 08 cv 309 BTM CAB
SORENSEN RESEARCH AND	)	
DEVELOPMENT TRUST,	)	FIRST AMENDED NOTICE OF
	)	RELATED CASES
Plaintiff	)	
v.	)	
	)	
CENTRAL PURCHASING, LLC, a	)	
California Corporation; and DOES 1 –	)	
100,	)	
	)	
Defendants.	)	
	)	
and related counterclaims.	)	

1 Pursuant to Local Civil Rule 40.1(e), Plaintiff JENS E. SORENSEN, as  
2 TRUSTEE OF THE SORENSEN RESEARCH AND DEVELOPMENT TRUST  
3 (“SRDT”), hereby gives FIRST AMENDED NOTICE OF RELATED CASES  
4 notice of cases related to the present case. Specifically, SRD TRUST gives notice of  
5 the following related cases that all arise from alleged infringement of United States  
6 Patent Number 4,935,184 (“the ‘184 patent”), whether pending, dismissed, or  
7 otherwise terminated:

8  
9 **JUDGMENT ENTERED**

10 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
11 *Trust v. First International Digital, Inc., et al*, Case No. 3:07-cv-5525-JSW, filed  
12 October 30, 2007 in the United States District Court for the Northern District of  
13 California. Judgment of \$500,000.00 has been entered.

14  
15 **PENDING – NOT STAYED**

16 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
17 *Trust v. Phillips Plastics Corp.*, filed June 26, 2008 in the United States District  
18 Court for the District of Northern California. Plaintiff alleges infringement of the  
19 ‘184 patent by Defendants. Consolidation is not recommended at this time.

20 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
21 *Trust v. Human Touch LLC, et al*, Case No. 08cv1080, filed June 18, 2008 in the  
22 United States District Court for the District of Southern California. Plaintiff alleges  
23 infringement of the ‘184 patent by Defendants. Consolidation is not yet  
24 recommended because it has just been filed.

25 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
26 *Trust v. Lexar Media, Inc.*, Case No. 5:08-cv-00095-JW, filed January 7, 2008 in the  
27 United States District Court for the District of Northern California. Plaintiff alleges  
28 infringement of the ‘184 patent by Defendants. Consolidation is not recommended

1 because a requested stay was already denied and this case is proceeding to be  
2 litigated.

3 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
4 *Trust v. Johnson Level & Tool Mfg. Co., Inc.*, Case No. 3:08-cv-0025-BTM-CAB,  
5 filed January 4, 2008 in the United States District Court for the District of Southern  
6 California. Plaintiff alleges infringement of the '184 patent by Defendants.  
7 Consolidation is not recommended because Defendant is in default and a partial  
8 settlement has already been reached.

9 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
10 *Trust v. Ampro Tools Corporation*, Case No. 4:08-cv-00096-CW, filed January 7,  
11 2008 in the United States District Court for the District of Northern California.  
12 Plaintiff alleges infringement of the '184 patent by Defendants. Consolidation is not  
13 recommended because there has already been an entry of default and a default  
14 judgment motion is being prepared.

15 *PowerStation LLC, et al v. Sorensen Research and Development Trust*, Case  
16 No. 07-cv-04167-RBH, filed December 31, 2007 in the United States District Court  
17 for the District of South Carolina. Plaintiff seeks declaratory judgment that the '184  
18 patent is invalid and not infringed by them, and also makes an unfair trade practices  
19 claim. Consolidation is not recommended yet because a Rule 12 motion for transfer  
20 for lack of personal jurisdiction is currently pending.

21 *Big Lots Stores, Inc. v. Sorensen Research and Development Trust*, Case. No.  
22 08cv00506, filed May 23, 2008 in the United States District Court for the Southern  
23 District of Ohio. Plaintiff seeks declaratory judgment that the '184 patent is invalid  
24 and not infringed by them. Consolidation is not recommended yet because no  
25 summons and complaint have been served, and this case will be the subject of a Rule  
26 12 motion for transfer for lack of personal jurisdiction.

27 *Freshlink Product Development, L.L.C. v. Sorensen Research & Development*  
28 *Trust*, Case. No. 08cv05021, filed May 30, 2008 in the USDC for the Southern

1 District of New York. Consolidation is not recommended yet because no summons  
2 and complaint have been served, and this case will be the subject of a Rule 12  
3 motion for transfer for lack of personal jurisdiction.

4 *American Safety Razor Co. v. Sorensen Research & Development Trust*, Civil  
5 Case No. 07-CV-00730-HHK, filed April 20, 2007, in the United States District  
6 Court for the District of Columbia. Consolidation is not recommended at this time  
7 because no summons and complaint has been served and because there is no personal  
8 jurisdiction over Sorensen in this court.

9 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
10 *Trust v. DMS Holdings, Inc., et al.*, Case No. 08cv559, filed March 25, 2008 in the  
11 United States District Court for the District of Southern California. Plaintiff alleges  
12 infringement of the '184 patent by Defendants. Consolidation with most other cases  
13 in the District of Southern California was recommended (though this case involves  
14 different parties and products) because the presiding judge has indicated a preference  
15 for a consolidated claim construction hearing.

16 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
17 *Trust v. Metabo Corporation, et al.*, Case No. 08cv304, filed February 15, 2008 in  
18 the United States District Court for the District of Southern California. Plaintiff  
19 alleges infringement of the '184 patent by Defendants. Consolidation with most  
20 other cases in the District of Southern California was recommended (though this case  
21 involves different parties and products) because the presiding judge has indicated a  
22 preference for a consolidated claim construction hearing.

23 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
24 *Trust v. Star Asia, U.S.A., LLC, et al.*, Case No. 08cv307, filed February 15, 2008 in  
25 the United States District Court for the District of Southern California. Plaintiff  
26 alleges infringement of the '184 patent by Defendants. Consolidation with most  
27 other cases in the District of Southern California was recommended (though this case  
28 involves different parties and products) because the presiding judge has indicated a

1 preference for a consolidated claim construction hearing.

2 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
3 *Trust v. Alltrade Tools, LLC., et al.*, Case No. 08cv232, filed February 5, 2008 in the  
4 United States District Court for the District of Southern California. Plaintiff alleges  
5 infringement of the '184 patent by Defendants. Consolidation with most other cases  
6 in the District of Southern California was recommended (though this case involves  
7 different parties and products) because the presiding judge has indicated a preference  
8 for a consolidated claim construction hearing.

9  
10 **PENDING - STAYED**

11 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
12 *Trust v. Kyocera International, Inc., et al.*, Case No. 08cv411, filed March 4, 2008 in  
13 the United States District Court for the District of Southern California. Plaintiff  
14 alleges infringement of the '184 patent by Defendants. Consolidation with most  
15 other cases<sup>1</sup> in the District of Southern California is recommended (though this case  
16 involves different parties and products) because the presiding judge has indicated a  
17 preference for a consolidated claim construction hearing.

18 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
19 *Trust v. Logitech, Inc., et al.*, Case No. 08cv308, filed February 15, 2008 in the  
20 United States District Court for the District of Southern California. Plaintiff alleges  
21 infringement of the '184 patent by Defendants. Consolidation with most other cases  
22 in the District of Southern California is recommended (though this case involves  
23 different parties and products) because the presiding judge has indicated a preference  
24 for a consolidated claim construction hearing.

25 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
26 *Trust v. Rally Manufacturing, Inc., et al.*, Case No. 08cv302, filed February 15, 2008

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<sup>1</sup> See Motion for Consolidation, denied as premature, for listing of cases Plaintiff has recommended to be consolidated.

1 in the United States District Court for the District of Southern California. Plaintiff  
2 alleges infringement of the '184 patent by Defendants. Consolidation with most  
3 other cases in the District of Southern California is recommended (though this case  
4 involves different parties and products) because the presiding judge has indicated a  
5 preference for a consolidated claim construction hearing.

6 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
7 *Trust v. Sunbeam Products, Inc., et al.*, Case No. 08cv306, filed February 15, 2008 in  
8 the United States District Court for the District of Southern California. Plaintiff  
9 alleges infringement of the '184 patent by Defendants. Consolidation with most  
10 other cases in the District of Southern California is recommended (though this case  
11 involves different parties and products) because the presiding judge has indicated a  
12 preference for a consolidated claim construction hearing.

13 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
14 *Trust v. CTT Tools, Inc., et al.*, Case No. 08cv231, filed February 5, 2008 in the  
15 United States District Court for the District of Southern California. Plaintiff alleges  
16 infringement of the '184 patent by Defendants. Consolidation with most other cases  
17 in the District of Southern California is recommended (though this case involves  
18 different parties and products) because the presiding judge has indicated a preference  
19 for a consolidated claim construction hearing.

20 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
21 *Trust v. Global Machinery Company, et al.*, Case No. 08cv233, filed February 5,  
22 2008 in the United States District Court for the District of Southern California.  
23 Plaintiff alleges infringement of the '184 patent by Defendants. Consolidation with  
24 most other cases in the District of Southern California is recommended (though this  
25 case involves different parties and products) because the presiding judge has  
26 indicated a preference for a consolidated claim construction hearing.

27 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
28 *Trust v. Emissive Energy Corp., et al.*, Case No. 08cv234, filed February 5, 2008 in

1 the United States District Court for the District of Southern California. Plaintiff  
2 alleges infringement of the '184 patent by Defendants. Consolidation with most  
3 other cases in the District of Southern California is recommended (though this case  
4 involves different parties and products) because the presiding judge has indicated a  
5 preference for a consolidated claim construction hearing.

6 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
7 *Trust v. Motorola, Inc., et al.*, Case No. 3:08-cv-0136 LAB RBB, filed January 23,  
8 2008 in the United States District Court for the District of Southern California.  
9 Plaintiff alleges infringement of the '184 patent by Defendants. Consolidation with  
10 most other cases in the District of Southern California is recommended (though this  
11 case involves different parties and products) because the presiding judge has  
12 indicated a preference for a consolidated claim construction hearing.

13 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
14 *Trust v. Sanyo North America Corporation, et al.*, Case No. 3:08-cv-0135 DMS  
15 POR, filed January 23, 2008 in the United States District Court for the District of  
16 Southern California. Plaintiff alleges infringement of the '184 patent by Defendants.  
17 Consolidation with most other cases in the District of Southern California is  
18 recommended (though this case involves different parties and products) because the  
19 presiding judge has indicated a preference for a consolidated claim construction  
20 hearing.

21 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
22 *Trust v. Informatics, inc., et al.*, Case No. 3:08-cv-0134-L NLS, filed January 23,  
23 2008 in the United States District Court for the District of Southern California.  
24 Plaintiff alleges infringement of the '184 patent by Defendants. Consolidation with  
25 most other cases in the District of Southern California is recommended (though this  
26 case involves different parties and products) because the presiding judge has  
27 indicated a preference for a consolidated claim construction hearing.

28 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*

1 *Trust v. Ryobi Technologies, Inc., et al.*, Case No. 3:08-cv-0070-BTM-CAB, filed  
2 January 11, 2008 in the United States District Court for the District of Southern  
3 California. Plaintiff alleges infringement of the '184 patent by Defendants.  
4 Consolidation with most other cases in the District of Southern California is  
5 recommended (though this case involves different parties and products) because the  
6 presiding judge has indicated a preference for a consolidated claim construction  
7 hearing.

8 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
9 *Trust v. Senco Products, Inc.*, Case No. 3:08-cv-0071-BTM-CAB, filed January 11,  
10 2008 in the United States District Court for the District of Southern California.  
11 Plaintiff alleges infringement of the '184 patent by Defendants. Consolidation with  
12 most other cases in the District of Southern California is recommended (though this  
13 case involves different parties and products) because the presiding judge has  
14 indicated a preference for a consolidated claim construction hearing.

15 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
16 *Trust v. Emerson Electric Co., et al*, Case No. 3:08-cv-0060-BTM-CAB, filed  
17 January 10, 2008 in the United States District Court for the District of Southern  
18 California. Plaintiff alleges infringement of the '184 patent by Defendants.  
19 Consolidation with most other cases in the District of Southern California is  
20 recommended (though this case involves different parties and products) because the  
21 presiding judge has indicated a preference for a consolidated claim construction  
22 hearing.

23 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
24 *Trust v. Energizer Holdings, Inc., et al*, Case No. 3:07-CV-2321-BTM-CAB, filed  
25 December 11, 2007 in the United States District Court for the Southern District of  
26 California. Plaintiff alleges infringement of the '184 patent by Defendants.  
27 Consolidation with most other cases in the District of Southern California is  
28 recommended (though this case involves different parties and products) because the

1 presiding judge has indicated a preference for a consolidated claim construction  
2 hearing.

3 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
4 *Trust v. Giant International, Inc., et al*, Case No. 3:07-CV-2121-BTM-CAB, filed  
5 November 6, 2007 in the United States District Court for the Southern District of  
6 California. Plaintiff alleges infringement of the '184 patent by Defendants.  
7 Consolidation with most other cases in the District of Southern California is  
8 recommended (though this case involves different parties and products) because the  
9 presiding judge has indicated a preference for a consolidated claim construction  
10 hearing.

11 *Jens Erik Sorensen as Trustee of Sorensen Research and Development Trust v.*  
12 *Esseplast (USA) NC, Inc., et al*, Case No. 3:07-cv-2277-BTM-CAB, filed December  
13 4, 2007 in this District. Plaintiff alleges infringement of the '184 patent by  
14 Defendants. Consolidation with most other cases in the District of Southern  
15 California is recommended (though this case involves different parties and products)  
16 because the presiding judge has indicated a preference for a consolidated claim  
17 construction hearing.

18 *Jens Erik Sorensen as Trustee of Sorensen Research and Development Trust v.*  
19 *Helen of Troy Texas Corporation, et al*, Case No. 3:07-cv-2278-BTM-CAB, filed  
20 December 4, 2007 in this District. Plaintiff alleges infringement of the '184 patent  
21 by Defendants. Consolidation with most other cases in the District of Southern  
22 California is recommended (though this case involves different parties and products)  
23 because the presiding judge has indicated a preference for a consolidated claim  
24 construction hearing.

25 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
26 *Trust v. Digital Networks North America, Inc., et al*, Case No. 3:07-5568-JSW, filed  
27 November 1, 2007 in the United States District Court for the Northern District of  
28 California. Plaintiff alleges infringement of the '184 patent by Defendants.

1 Consolidation is not recommended because this related case involves different  
2 parties and has different, unrelated products at issue.

3 *Jens Erik Sorensen as Trustee of the Sorensen Research and Development*  
4 *Trust v. The Black & Decker Corporation, et al*, Civil Case No.: 3:06-CV-1572-  
5 BTM-CAB, filed August 7, 2006, in the United States District Court for the Southern  
6 District of California. Plaintiff alleges infringement of the '184 patent by  
7 Defendants. Consolidation with most other cases in the District of Southern  
8 California is recommended (though this case involves different parties and products)  
9 because the presiding judge has indicated a preference for a consolidated claim  
10 construction hearing.

#### 11 12 **SETTLED AND DISMISSED**

13 *Jens Erik Sorensen as Trustee of the Sorensen Research And Development*  
14 *Trust v. Tecnica USA, Inc and Nordica USA, Inc.*, Civil Case No. 06CV1941 B  
15 MLS, filed September 18, 2006 in the Southern District of California. The action  
16 was settled by the parties, and dismissed.

17 *Jens Erik Sorensen As Trustee of The Sorensen Research And Development*  
18 *Trust v. Head USA Inc.* Civil Case No.: 06CV1434BTN CAB, filed July 2006 in  
19 the Federal District for the Southern District of California. The action was settled by  
20 the parties, and dismissed.

21 *Head USA Inc. v. Jens Erik Sorensen (As Trustee of The Sorensen Research*  
22 *And Development Trust), and Sorensen Research And Development Trust.* Docket  
23 No.: 306CV00983, filed June 2006 in the Federal District of Connecticut. The matter  
24 was transferred and consolidated with the *Sorensen Research And Development*  
25 *Trust v. Head USA Inc.* action filed in the Southern District of California, Civil Case  
26 No.: 06CV1434BTM CAB. The action was later settled by the parties, and  
27 dismissed.

28 *Nordica USA Corp. v. Jens Ole Sorensen, Jens Erik Sorensen, and Sorensen*

1 *Research and Development Trust*. Docket No. 1:06-cv-91-JM filed March 8, 2006 in  
2 the Federal District of New Hampshire. The matter was transferred and consolidated  
3 with *Jens Erik Sorensen As Trustee of The Sorensen Research And Development*  
4 *Trust v. Tecnica USA, Inc and Nordica USA, Inc.*, Civil Case No. 06CV1941 B  
5 MLS, filed in the Southern District of California. The action was later settled by the  
6 parties.

7 *Jens Ole Sorensen, and Jens E. Sorensen, as Trustee Of The Sorensen*  
8 *Research and Development Trust v. DaimlerChrysler AG, and Mercedes-Benz USA,*  
9 *LLC.* Civil No. 03-1763 (HAA) filed in the United States District Court for  
10 Northern California and transferred to the United States District Court for New  
11 Jersey. This matter has been settled and dismissed.

12 *In the Matter of Certain Automobile Tail Light Lenses And Products*  
13 *Incorporating Same.* Investigation No. 337-TA-502 filed in the United States  
14 International Trade Commission. The matter was remanded after appeal to the  
15 Federal Circuit Court of Appeals, then settled and dismissed.

16 *Jens E. Sorensen, as Trustee Of The Sorensen Research and Development*  
17 *Trust v. Premier Automotive Group, Ford Motor Company, and Jaguar, Ltd.* Case  
18 No. 03-cv-01107, filed March 14, 2003 in the Federal Court for the Northern District  
19 of California. The matter was settled and dismissed.

20 *Sorensen et al v. International Trade Commission et al.*, 427 F.3d 1375 (Fed.  
21 Cir. 2005). After the Federal Circuit ruled in patentee's favor, the parties settled and  
22 dismissed.

23  
24 **DISMISSED**

25 *DMS Holdings, Inc. v. Sorensen Research & Development Trust.* Civil Case  
26 No.: 07-CV-02690, filed May 11, 2007, in the United States District Court for the  
27 Northern District of Illinois. This case has been dismissed. Sorensen refiled against  
28 DMS Holdings in the United States District Court for Southern California (see

1 above).

2 *Lowe's Companies, Inc., et al v. Sorensen Research and Development Trust.*  
3 Case No. 05-cv-00234 filed July 29, 2005 in the Federal Court for the Western  
4 District of North Carolina. The matter was never served and was dismissed.

5 *Digital Innovations LLC v. Sorensen Research and Development Trust.* Case  
6 No. 05-cv-06428, filed November 9, 2005 in the Federal Court for the Northern  
7 District of Illinois. The matter was never served and was dismissed.

8 *Big Lots v. Sorensen Research and Development Trust.* Case No. 2:06-cv-  
9 1089, filed December 29, 2006 in the Federal Court for the Southern District of  
10 Ohio. The matter was never served and was dismissed.

11 *Bon-Aire v. Sorensen Research and Development Trust.* Case No. 07-cv-054-  
12 S, filed January 2007 in the Federal Court for the District of Idaho. The matter was  
13 never served and was dismissed.

14 *Husqvarna Outdoor Products, Inc. v. Sorensen Research and Development*  
15 *Trust.* CIV. NO. CV106-160 in the Federal Court for the Southern District of  
16 Georgia on October 30, 2006. The matter was never served and was dismissed.

17 DATED this Friday, June 27, 2008.

18  
19 JENS ERIK SORENSEN, as Trustee of  
20 SORENSEN RESEARCH AND DEVELOPMENT  
21 TRUST, Plaintiff

22 /s/ Melody A. Kramer

23 Melody A. Kramer, Esq.

24 J. Michael Kaler

25 Attorney for Plaintiff  
26  
27  
28

**PROOF OF SERVICE**

I, Melody A. Kramer, declare: I am and was at the time of this service working within in the County of San Diego, California. I am over the age of 18 year and not a party to the within action. My business address is the Kramer Law Office, Inc., 9930 Mesa Rim Road, Suite 1600, San Diego, California, 92121.

On Friday, June 27, 2008, I served the following documents:

**FIRST AMENDED NOTICE OF RELATED CASES**

<b>PERSON(S) SERVED</b>	<b>PARTY(IES) SERVED</b>	<b>METHOD OF SERVICE</b>
Mark J. Rosenberg Sills Cummis & Gross P.C. One Rockefeller Plaza New York, New York 10020	Central Purchasing, LLC	Email - Pleadings Filed with the Court via ECF
Susan E. Basinger Higgs Fletcher & Mack LLP 401 West "A" Street, Suite 2600 San Diego, California 92101 basinger@higgslaw.com	Central Purchasing, LLC	Email - Pleadings Filed with the Court via ECF

- ☐ (Personal Service) I caused to be personally served in a sealed envelope hand-delivered to the office of counsel during regular business hours.
- ☐ (Federal Express) I deposited or caused to be deposited today with Federal Express in a sealed envelope containing a true copy of the foregoing documents with fees fully prepaid addressed to the above noted addressee for overnight delivery.
- ☐ (Facsimile) I caused a true copy of the foregoing documents to be transmitted by facsimile machine to the above noted addressees. The facsimile transmissions were reported as complete and without error.
- ☐ (Email) I emailed a true copy of the foregoing documents to an email address represented to be the correct email address for the above noted addressee.
- ☒ (Email--Pleadings Filed with the Court) Pursuant to Local Rules, I electronically filed this document via the CM/ECF system for the United States District Court for the Southern District of California.

☐ (U.S. Mail) I mailed a true copy of the foregoing documents to a mail address represented to be the correct mail address for the above noted addressee.

I declare that the foregoing is true and correct, and that this declaration was executed on Friday, June 27, 2008, in San Diego, California.

/s/ Melody A. Kramer

Melody A. Kramer